REMARKS

Claims 1 and 21 stand rejected under 35 U.S.C. 102(b) as being anticipated by McSpadden, et al.

McSpadden discloses a programmable multiple blender system for blending low and high octane gasoline. This system includes a microprocessor programmed to respond to both a blend select signal and the product flow rate signals from the flow rate meter for providing dual closed loop control of the flow control valve in a manner to maintain a desired blend of the two products being dispensed at a desired product flow rate. Tracking ratio control is provided for obtaining target goals for each of the first and second products to be blended during real time dispensing of the products to the blend manifold. As fuel is being dispensed, the volume pulses for the blended products are counted, and the valves are controlled in real-time to achieve a desired blending ratio for the products. McSpadden is limited to acquisition of data during an individual fueling event and such data has no influence whatsoever on subsequent fueling events. Furthermore, McSpadden deals with the blending of fuels, not the blending of additive to fuel.

By contrast, and as presently amended claims 1 and 21 now reflect, the present invention retains data from one fuel dispensing event to be used in subsequent fuel dispensing events. More particularly, data is processed by computer-controlled algorithms to enable automatic sensing, correction, and ensuing adjustment of subsequent valve timing and injected volumes to optimize metering accuracy, such that adjustment of valve timing and injected volumes can be based upon assessment of past performance of the metering system and current hydraulic conditions as detected by the various sensors in the hydraulic module.

Claims 1, 4, 6, 7, 10-12, 17-19, 22, 24, 26, 27, 30-32 and 37-39 stand rejected under 35

U.S.C. 103(a) as being unpatentable over Zinsmeyer. Claims 3, 5, 8, 9, 16, 20, 23, 25, 28, 29 and 40 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Zinsmeyer in view of Leatherman. Claims 13-15 and 33-35 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Zinsmeyer in view of Leatherman, et al. and further in view of Comer, et al.

Zinsmeyer discloses an automotive fuel additive dispensing and blending system wherein both proprietary and mandated fuel additives normally added at the refinery or a bulk storage plant may be added at a service station and blended into the fuel as fuel is dispensed.

Leatherman discloses an internet capable browser dispenser architecture having a plurality of fuel dispensers operating in conjunction with a local server. This architecture establishes interactivity with a server to create multimedia applications and carry out POS functions with a browser interface.

It is respectfully submitted that these 103(a) rejections are overcome in light of the newly amended claims 1 and 21 for the same reasons as previously discussed with respect to the 102(a) rejections. More particularly, Zinsmeyer does not suggest acquiring data from a plurality of fuel dispensing events and using that data to control the operation of subsequent fuel dispensing events. In view of the distinction between the claimed invention and Zinsmeyer, Leatherman fails to add substance to the obviousness rejection. Furthermore, in view of the distinction between the claimed invention and Zinsmeyer, Leatherman and Comer collectively fail to add substance to the obviousness rejections.

In view of the foregoing amendments and remarks, it is believed that each of the pending claims in the present application recites subject matter neither taught nor suggested by the prior art, and that the application as a whole is in proper form and condition for allowance. Reconsideration and withdrawal of the objections and rejections is therefore requested, such

that the application may advance to issue at the earliest possible date. If the Examiner believes that the application can be placed in even better condition for allowance, he is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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